

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Prohibition & Excise Department – Allegation of corruption against Sri Syed Ahmed, Prohibition and Excise Inspector, Shadnagar, Mahaboobnagar District (Retired) – Prosecution accorded – Charge Sheet filed – Convicted by the Addl. Special Judge for ACB Cases, Hyderabad – Punishment of withholding of full pension and entire gratuity imposed – Criminal Appeal filed - Acquitted by the Hon'ble High Court of Andhra Pradesh – Punishment rescinded – Orders – Issued.

REVENUE (VIG.V) DEPARTMENT

G.O. Rt. No. 619

Dated:23.04.2012.

Read the following:-

- 1) DC P&E, Hyderabad Division Proc. Cr.No.A1/3673/97, dt.18.07.1997.
- 2) DC P&E, Mahabubnagar Division Proc. Cr.No.A1/3011/97, dt.12.06.2001.
- 3) D.G., ACB Lr. No.105/RCT-HMR/97, dt.19.02.1998.
- 4) G.O. Ms. No.472, Revenue (Vig.V) Deptt., dt.28.08.2006.
- 5) Judgement dt.09.11.2004 in C.C.No.17/98 of Addl. Special Judge for ACB Cases, Hyderabad.
- 6) G.O. Ms. No.1241, Revenue (Vig.V) Deptt., dt.28.08.2006.
- 7) Hon'ble High Court of A.P., Judgment, dt.09.11.2011 in CrI. Appeal Nos.2438 & 2521 of 2004.
- 8) From the D.G., ACB Rc. No.105/RCT-HMR/1997, dt.20.01.2012.

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ORDER:

In the reference 1st read above, the Deputy Commissioner of Prohibition & Excise, Hyderabad Division has kept Sri Syed Ahmed, formerly Prohibition & Excise Inspector, Shadnagar, Mahabubnagar District under suspension from 23.07.1997, as he was trapped by the ACB Authorities and his detention was exceeded more than 48 hours.

- 2) In the reference 2nd read above, he was reinstated into service on 14.06.2001.
- 3) In the reference 3rd read above, the ACB Authorities have submitted final report on the trap case registered against him and recommended for prosecution of the Accused Officers in a Court of Law.
- 4) In the reference 4th read above, sanction was accorded to prosecute the Accused Officer in a court of law and accordingly, the ACB Authorities have filed charge sheet in the Court of the Addl. Special Judge for SPE & ACB Cases, Hyderabad.
- 5) In the reference 5th read above, the Additional Special Judge for SPE & ACB Cases, Hyderabad pronounced judgement convicting the Accused Officer under section 248 (2) Cr.P.C. founding the Accused Officer guilty for the offences under section 7 and 13 (1) (d) read with section 13 (2) of P.C. Act.
- 6) In the reference 6th read above, a punishment of withholding of 100% pension and entire gratuity permanently was imposed on the individual under Rule 9 of A.P. Revised Pension Rules, 1980.
- 7) Aggrieved by the judgement of the Court of Addl. Special Judge for SPE & ACB Cases, Hyderabad, the Accused officer has approached the Hon'ble High Court of Andhra Pradesh by filing Criminal Appeal.
- 8) In the reference 7th read above, the Hon'ble High Court of Andhra Pradesh acquitted him by setting aside the orders of the Hon'ble Addl. Special Judge for SPE & ACB Cases, Hyderabad.

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9) In the reference 8th read above, the Director General, Anti Corruption Bureau has stated that it is not a fit case to prefer SLP in Supreme Court of India against the judgment dt.09.11.2011 in Crl. A.Nos.2438 and 2521 of 2004.

10) After careful examination of the matter in detail, Government hereby decided to drop further action in the matter and therefore to rescind the punishment orders issued in the reference 6th read above against Sri Syed Ahmed, Prohibition & Excise Inspector (Retd.) directing the Commissioner of Prohibition & Excise to release his pensionary benefits. It is also ordered to treat his suspension period from 23.07.1997 to 13.06.2001 as "not on duty". During the said period he will be entitled to subsistence allowance only. However the period shall count towards pay, pension fixation, leave, promotion, increments, etc.,

11) The Commissioner of Prohibition & Excise, A.P., Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Syed Ahmed, Prohibition & Excise Inspector (Retd.)

Through: The Commissioner of Prohibition & Excise,
A.P., Hyderabad.

The Commissioner of Prohibition & Excise, A.P., Hyderabad.

The Deputy Commissioner of Prohibition & Excise, Hyderabad Division,
Hyderabad.

The Director General, Anti Corruption Bureau, A.P., Hyderabad.

Copy to:-

The District Treasury Officer, Mahabubnagar.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Accountant General, A.P., Hyderabad.

File.

// FORWARDED :: BY ORDER //

SECTION OFFICER